

ZB# 08-17

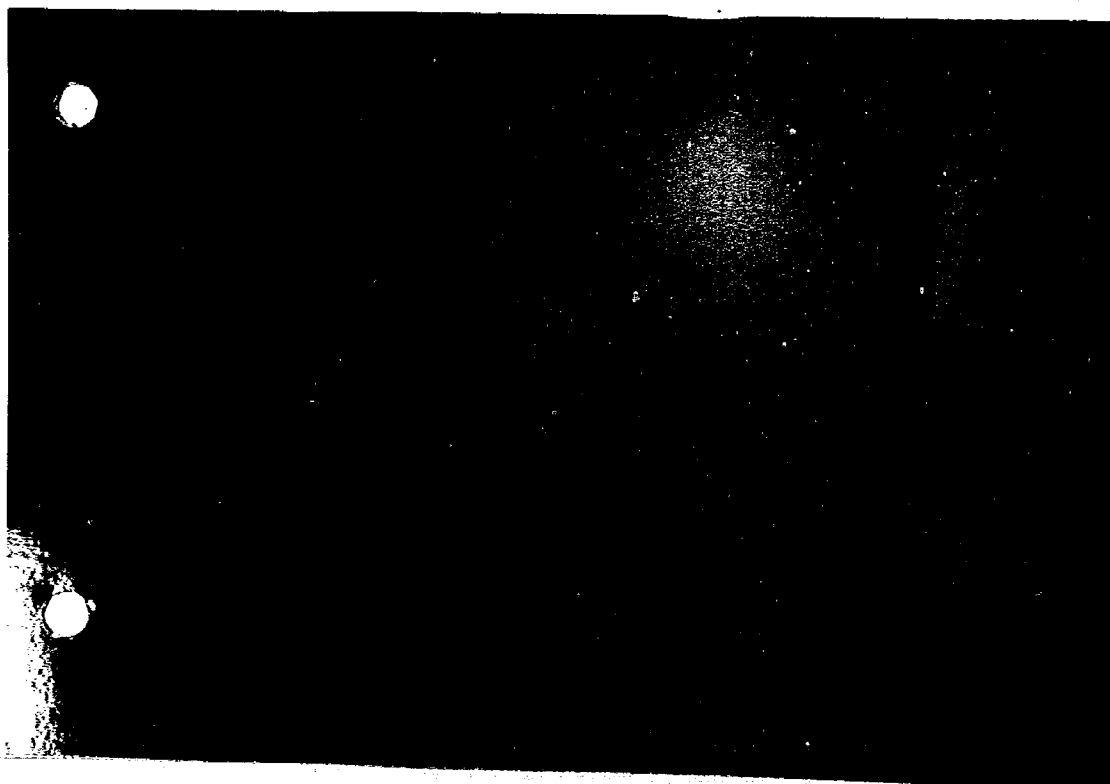
Apollo Cypress

76-4-10

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553

August 11, 2008

08-17
2903 McKinley Ct. (Antip
Capezio Capital (16-4-2008)



NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 76-4-10

In the Matter of the Application of

APOLLO S. CYPRESS

MEMORANDUM OF
DECISION GRANTING

INTERPRETAION

CASE #08-17

1. **WHEREAS, Apollo Cypress**, owner(s) of 2903 McKinley Court, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an request for Interpretation and/or use variance for existing single family home with two kitchens or two-family home at 2903 McKinley Ct in an R-3 Zone (76-4-10)

WHEREAS, a public hearing was held on August 11, 2008 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant and his appeared on behalf of this Application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS no one spoke opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Official Town Newspaper, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a residential property located in a neighborhood of residential properties where the proposed use is allowed in an R-3 zone.
 - (b) The applicant has a sink in the basement in his home which the building inspector of the Town of New Windsor has classified as a possible second kitchen.

- (c) The sink area is not served by any gas line and there are no other kitchen fixtures or appliances.
- (d) The house is a single family house and has always been a single family house and the applicant will sell it and maintain it as a single family house.
- (e) The applicant will not use any portion of the house as a second apartment.
- (f) This sink area is readily accessible to other portions of the and is not separated by any locked door.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.
7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s).

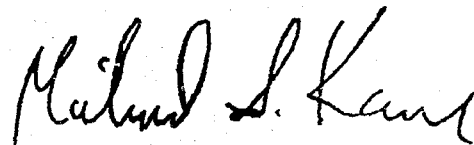
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for Interpretation and/or use variance for existing single family home with two kitchens or two-family home at 2903 McKinley Ct in an R-3 Zone (76-4-10) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: August 11, 2008

A handwritten signature in black ink, appearing to read "Michael S. Kany", is written above a horizontal line.

Chairman

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: JACK FINNEGAN, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: 01-21-09
SUBJECT: REFUND ESCROW 08-17

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 359.11 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #08-17

NAME & ADDRESS:

**Apollo S. Cypress
2903 McKinley Ct.
New Windsor, NY 12553**

THANK YOU,

MYRA

JF.01-21-08



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #08-17 TYPE: AREA TELEPHONE: 567-4210

APPLICANT:

Apollo S. Cypress
2903 McKinley Ct.
New Windsor, NY 12553

RESIDENTIAL:	\$ 50.00	CHECK # _____
COMMERCIAL	\$ 150.00	CHECK # _____
INTERPRETATION	\$ 150.00	CHECK # <u>1035</u>

ESCROW: COMMERCIAL \$500.00 CHECK # 1036



<u>DISBURSEMENTS:</u>		MINUTES \$7.00 / PAGE	ATTORNEY FEE
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PRELIMINARY:	<u>5</u>	PAGES	\$ <u>35.00</u>	\$ <u>35.00</u>
2 ND PRELIMINARY:	—	PAGES	\$ _____	\$ _____
PUBLIC HEARING:	<u>3</u>	PAGES	\$ <u>21.00</u>	\$ <u>35.00</u>
PUBLIC HEARING:	—	PAGES	\$ _____	\$ _____

LEGAL AD: Publish Date: 7/25/08 \$ 14.89

TOTAL: \$ 70.89 \$ 70.00



ESCROW POSTED: \$ 500.00
LESS: DISBURSEMENTS: \$ 140.89

AMOUNT DUE: \$ _____

REFUND DUE: \$ 359.11

Cc:

J.F. -01/21/09

June 23, 2008

2

5
35.00

PRELIMINARY_MEETINGS:

APOLLO_CYPRESS_(08-17)

MR. KANE: Preliminary meetings, Apollo Cypress. Request for interpretation and/or use variance for existing single family home with two kitchens or two-family home at 2903 McKinley Court in an R-3 zone.

Mr. Apollo Cypress appeared before the board for this proposal.

MR. KANE: Mr. Cypress, come on up. What we do in New Windsor, this is basically for everybody is we hold two hearings, not a lot of towns do that. One is a preliminary meeting such as you're at right now that will provide us all the information that we need to make a decision and then any request we may have for you. All our decisions have to be made in a public hearing so we'll be prepared for that. So tell us exactly what you want to do, state your name and address and speak loud enough for the young lady over there to hear you.

MR. CYPRESS: Apollo Cypress and we're residing in 2903 McKinley Court, New Windsor. I did the basement renovations and the inspector complained that the one that I did is a kitchen because the way I understand it it's not the kitchen because there's no provisions for kitchen equipment, there's no gas lines. And all you can see there is just the sink, it's not even a kitchen sink. What I put is a bar sink with countertop and the cabinets, the base cabinets and the upper cabinets. Now, the inspector said that it is a kitchen so I'm requesting for an interpretation or an area variance because I believe it's not a kitchen.

MR. KANE: We get a number of them for that and the idea of being here for the quote unquote the second kitchen is just to basically make sure everything's

June 23, 2008

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legit, get you on record that the home will never be used as a two-family home and basically we get you on record for that and that's specifically why you're here.

MR. CYPRESS: Actually, the inspector went to the basement, what he can find there is just my office, storage and a toilet and nothing else and we don't have any provisions to prepare foods or anything there.

MR. KANE: Mike, with just the sink in there like that does that with no gas coming in and no provisions for that?

MR. BABCOCK: Well, honestly, Mr. Chairman, I didn't see it but I can tell you that the building permit that we issued doesn't show any sink at all.

MR. CYPRESS: Here sir this is the sink, this is the sink which I put in the center and this is the upper cabinet and this is the base cabinets. Now when he interpret this as a kitchen and I tried to explain to him that it is not a kitchen because it's just a sink and in our other place we have to prepare maybe coffee or drinks which we can use for washing maybe the glass or whatever.

MR. BABCOCK: I think we're just being cautious, we'd like him to go on record for this.

MR. KANE: We want to make sure there are no illegal two-family homes going up.

MR. CYPRESS: It will not be a two-family home and even this one I deleted it this portion so that you can see that it is not really an intention for a second residence. You can see this is my office with telephones and computers and that's it, this one is storage so there's no really no bedrooms or anything like that.

June 23, 2008

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MR. BABCOCK: Yeah, I don't think that his diagram here we understood it to be a sink and kitchen cabinets when we issued the permit, when we got there and seen that I think that's where our issue is. If he's got the kitchen then that creates an issue. So I guess we want him to be here tonight to say he's not creating a kitchen. Do you have a plan, the floor plan, do you see that?

MR. KANE: No.

MR. BABCOCK: Now he's actually doing his basement over into an office area for himself.

MR. CYPRESS: Yes, sir.

MR. BABCOCK: If this is not an issue for the board I don't see it as an issue here.

MS. LOCEY: Where is the washer and dryer?

MR. CYPRESS: There is no washer and dryer, it's in the grand floor, in the first floor.

MS. LOCEY: It's not in the basement?

MR. CYPRESS: No, I wouldn't have put it there, the basement is for my office and kids.

MS. LOCEY: Because a lot of basements or washer dryer areas they'll have a sink for soaking clothes or hand washing clothes.

MR. BABCOCK: There's no basement so that's why there was never any washer, dryer, sinks or anything down there.

MR. KANE: What it basically comes down to is this is that you got a decline from the building department

which means you have to be here. The zoning board itself cannot make any kind of decisions unless it's a public hearing, so we couldn't even formally tell Mike that the, I think the best thing is to proceed and what's going to happen in the public portion of the hearing is that the notices will go out, you'll come up and say the same things that you've been saying this evening and that it's not going to be used for a kitchen, not ever, and that's not the intent and it's just on record and that will be the end of it.

MR. CYPRESS: All right.

MR. KANE: Other than that, there's nothing we can do which leaves it still wide open.

MR. BABCOCK: I think that's the best way only because if someday somebody's living in this basement we have something to go by to hand this gentleman a ticket, you know, and he's--

MR. KRIEGER: For the next owner.

MR. BABCOCK: Or the next owner, that's correct.

MR. KANE: So that's, so we'll take it to public, we'll clear it up, everything will be clear in the records and the permit will be issued that the intent is not to be used as a kitchen, clear that up in a public hearing and you'll be set to go. Okay, any further questions from the board on this? I will accept a motion to set up a public hearing.

MR. BEDETTI: I'll make a motion that we schedule a public hearing for Apollo Cypress for interpretation of the request.

MR. TORPEY: I'll second that.

ROLL CALL

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MR. BEDETTI	AYE
MS. LOCEY	AYE
MR. TORPEY	AYE
MR. KANE	AYE

MS. MASON: Apollo, take this with you, just read this over, it explains what you need to do next.

MR. CYPRESS: So I set up for another hearing?

MR. KANE: One more hearing because we have to do it in a public hearing, it's mandated by law.

MS. MASON: Read that over, tells you what you have to do. All right?

MR. CYPRESS: Thank you.

APOLLO_CYPRESS_(08-17)

MR. KANE: Request for interpretation and/or use variance for existing single family home with two kitchens or two-family home at 2903 McKinley Court in an R-3 zone.

Mr. Apollo Cypress appeared before the board for this proposal.

MR. CYPRESS: Good evening, my name is Apollo Cypress residing at 2903 McKinley Court, New Windsor 12553. And I'm requesting a variance or petition of variance for my basement as what the inspector said that the sink that I put in a kitchen sink and I thought the one that I put it's a bar sink and there's no gas lines for the kitchens or no provisions for kitchen equipment.

MR. KANE: So what we have is a second kitchen in the home, your intent is to just use it as a bar, a wet bar basically?

MR. CYPRESS: Correct.

MR. KANE: Do you state you do not have a separate, you have no intention of putting a separate gas line or electric line coming in?

MR. CYPRESS: Yes.

MR. KANE: You have no intention of using it as an apartment, an area or a kitchen for an apartment?

MR. CYPRESS: No, in fact what I put there is my office and just sink and the restroom, a little restroom.

MR. KANE: So there's no intent there whatsoever to have an apartment down there or use that? Just want to get that on the record.

August 11, 2008

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MR. CYPRESS: Yes.

MR. KANE: At this point, I will open it up to the public and seeing as there's nobody in the audience we'll close the public portion of the hearing and ask Myra how many mailings we had.

MS. MASON: On July 28, I mailed out 45 addressed envelopes and had no response.

MR. KRIEGER: It is a single family house, it will always be a single family house and if you sell it you'll sell it as a single-family house, correct?

MR. CYPRESS: Correct, yeah.

MR. KANE: Any further questions from the board?

MS. LOCEY: Yes, this the disapproval notice, it talks about not complying with minimum lot area, lot width, front yard, side yard, rear yard.

MR. KANE: That would be if he decided if we didn't go for the interpretation and he wanted a consideration as two-family house, it's not zoned for it and he would have to do all those things as a two family. We're going for it, I'm assuming we're going for an interpretation that it's just a second kitchen and he has no intent of using it as an apartment type thing which we just put on the record. Okay?

MS. LOCEY: Yes.

MR. KANE: Any other questions? If not, I'll accept a motion.

MS. LOCEY: I'll offer a motion to grant the requested variance on the application of Apollo Cypress to interpret the second kitchen he has constructed in his basement to be just that for his own use and it does

August 11, 2008

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not constitute a two-family house.

MR. BEDETTI: I'll second it.

MS. LOCEY: All at 2903 McKinley Court.

ROLL CALL

MR. DITTBRENNER	AYE
MR. BEDETTI	AYE
MS. LOCEY	AYE
MR. KANE	AYE

PUBLIC HEARING NOTICE

ZONING BOARD OF APPEALS

TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. (08-17)

Request of APOLLO CYPRESS

for a VARIANCE of the Zoning Local Law to Permit:

Request for Interpretation and/or use variance for existing single family home with two kitchens or two-family home at 2903 McKinley Ct in an R-3 Zone (76-4-10)

PUBLIC HEARING will take place on AUGUST 11, 2008 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 PM.

Michael Kane, Chairman

STATE OF NEW YORK

COUNTY OF ORANGE, ss:

Kathleen O'Brien, being duly sworn, disposes and says that she is the Supervisor of the Legal Department of the E.W. Smith Publishing Company, Inc., Publisher of The Sentinel, a weekly newspaper published and of general circulation in the Town of New Windsor, Town of Newburgh and City of Newburgh and that the notice of which is annexed is a true copy was published in said newspaper 1

time(s) commencing on the 25th day of

July, A.D., 2008 and ending on the 25th day of July, A.D., 2008.

Kathleen O'Brien

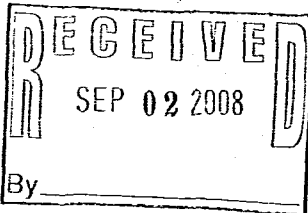
Subscribed and shown to before me this 2nd day of Sept, 2008.

Deborah Green

Notary Public of the State of New York
County of Orange

My commission expires

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
#4984065
Commission Expires July 15, 2011



14.89



RESULTS OF Z.B.A. MEETING OF:

August 11, 2008

PROJECT: Apollo Cypress

ZBA # 08-17

P.B.# _____



USE VARIANCE:

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

DITTBRENNER _____

BEDETTI _____

LOCEY _____

TORPEY _____

KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

DITTBRENNER _____

BEDETTI _____

LOCEY _____

TORPEY _____

KANE _____

CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

DITTBRENNER _____

BEDETTI _____

LOCEY _____

TORPEY _____

KANE _____

CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

DITTBRENNER _____

BEDETTI _____

LOCEY _____

TORPEY _____

KANE _____

CARRIED: Y _____ N _____

☐ ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

DITTBRENNER _____

BEDETTI _____

LOCEY _____

TORPEY _____

KANE _____

CARRIED: Y _____ N _____



PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ☒
VARIANCE APPROVED: M) Lo S) B VOTE: A 4 N 0.

DITTBRENNER A

BEDETTI A

LOCEY A

~~LOCEY~~ LOCEY

KANE A

CARRIED: Y ☒ N _____

AGENDA DATE: August 11, 2008

AFFIDAVIT OF MAILING

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

-----X

In the Matter of the Application for Variance of

APOLLO CYPRESS

AFFIDAVIT OF
SERVICE
BY MAIL

#08-17

X

STATE OF NEW YORK)

) SS:

COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 131 Mt. Airy Road, New Windsor, NY 12553.

That on the 28TH day of JULY, 2008, I compared the 45 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason

Myra L. Mason, Secretary

11th day of August, 2008

[Signature]
Notary Public

JENNIFER GALLAGHER
Notary Public, State of New York
No. 61GA6050024
Qualified in Orange County
Commission Expires 10/30/10

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

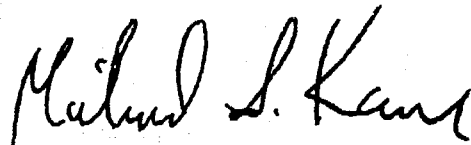
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PUBLIC HEARING will take place on AUGUST 11, 2008 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

A handwritten signature in black ink, reading "Michael S. Kane". The signature is written in a cursive style with a horizontal line underneath it.

Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-3101

Assessors Office
J. Todd Wiley, Assessor

June 17, 2008

Apollo S. Cypress
2903 McKinley Court
New Windsor, NY 12553

Re: Tax Map Parcel 76-4-10

ZBA: 08-17 (45)

Dear Mr. Cypress:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$65.00, minus your deposit of \$25.00.

Please remit the balance of \$40.00 to the Town Clerk's office.

Sincerely,

A handwritten signature in cursive script that reads "J. Todd Wiley".

J. Todd Wiley, IAO
Sole Assessor

JTW/td
Attachments

CC: Myra Mason, ZBA

65-1-19.2

NY City Dept. of E P, C/o City of NY
Dep. Bureau of Water Supply
465 Columbus Ave, Suite 350
Valhalla, NY 10595

89-2-10.1 & 89-2-10.2

Brian & Betty Ann Moretti
1043 Rolling Ridge
New Windsor, NY 12553

89-6-2

Atanda & Oluwakemi Owolabi
1030 Rolling Ridge
New Windsor, NY 12553

65-1-33

Ruby Nemeth
P.O. Box 81
Vails Gate, NY 12584

89-2-11

Dominic & Judith Cascone
1045 Rolling Ridge
New Windsor, NY 12553

89-6-3

Ann Sissler & Ann Rettus
1032 Rolling Ridge
New Windsor, NY 12553

65-1-88.1

Joseph & Carol Passaro
38 Passaro Dr.
New Windsor, NY 12553

89-2-12

Erick Ramos
1047 Rolling Ridge
New Windsor, NY 12553

89-6-4

Jared & Judith Richards Flagg
1034 Rolling Ridge
New Windsor, NY 12553

89-2-2

Philip & Janis Fernsten
1027 Rolling Ridge
New Windsor, NY 12553

89-2-13

William Kodl & Elaine Sunray
1049 Rolling Ridge
New Windsor, NY 12553

89-6-5

John & Barbara Boyer
1009 Verde Vista
New Windsor, NY 12553

89-2-3

Lewis & Laura Klein
1029 Rolling Ridge
New Windsor, NY 12553

89-2-14

Christopher & Jennifer Kasker
1051 Rolling Ridge
New Windsor, NY 12553

89-6-6

Roger Black
1007 Verde Vista
New Windsor, NY 12553

89-2-4

Adam & Karen Lipton
1031 Rolling Ridge
New Windsor, NY 12553

89-2-15

Paul Bastone & Valerie Collins
1053 Rolling Ridge
New Windsor, NY 12553

89-6-7

Robert & Kathleen Santarsiero
1005 Verde Vista
New Windsor, NY 12553

89-2-5

Gary & Rosemarie Zlotnick
1033 Rolling Ridge
New Windsor, NY 12553

89-5-12

Curtis & Liam Metzger
1023 Forest Glen
New Windsor, NY 12553

89-6-8

Alan & Pamela Fox
1003 Verde Vista
New Windsor, NY 12553

89-2-7

Patricia Coppola
1037 Rolling Ridge
New Windsor, NY 12553

89-5-13

Robert & Marianela Galeano
1025 Forest Glen
New Windsor, NY 12553

89-6-9

Steven & Caroline Sorce
1001 Verde Vista
New Windsor, NY 12553

89-2-8

Jiang Qingping & Chen Wei
1039 Rolling Ridge
New Windsor, NY 12553

89-5-14

Stanley & Asasalee Swaby
1027 Forest Glen
New Windsor, NY 12553

89-6-11

Todd & Juliette Morris
1018 Forest Glen
New Windsor, NY 12553

STAPLES

label size 1" x 2 5/8" compatible with Avery®5160/8160
Etiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160

89-6-12
Gary & Barbara Regenbaum
1020 Forest Glen
New Windsor, NY 12553

89-7-10
Vincent Dobilas & Barbara Stahl
1008 Verde Vista
New Windsor, NY 12553

89-6-13
Mark & Rosemarie Amici
1022 Forest Glen
New Windsor, NY 12553

89-2-6
Pauline & Anthony Noto
1035 Rolling Ridge
New Windsor, NY 12553

89-7-2.1 & 89-7-2.2
Bryan & Julia DiGiovanni
1038 Rolling Ridge
New Windsor, NY 12553

65-1-17
Kartiganer Family Limited Partnership
C/o Herbert Kartiganer
3928 Live Oak Blvd
Delray Beach, Fl 33445

89-7-3.1 & 89-7-3.2
William & Patricia Amaro
1040 Rolling Ridge
New Windsor, NY 12553

89-2-9.1 & 89-2-9.2
Thanh Ho & Tina Bo Nguyen
1041 Rolling Ridge
New Windsor, NY 12553

89-7-4.1 & 89-7-4.2
Michael & Claudine Lynch
1042 Rolling Ridge
New Windsor, NY 12553

89-6-1
Concetta Cacioppo
1028 Rolling Ridge
New Windsor, NY 12553

89-7-5.1 & 89-7-5.2
Michael Squillante
1044 Rolling Ridge
New Windsor, NY 12553

89-7-6.1 & 89-7-6.2
John Gaines & Sherri Huntzinger
1016 Summit Woods
New Windsor, NY 12553

89-7-7
David & Stacy Zagon
1002 Verde Vista
New Windsor, NY 12553

89-7-8
Eileen & Christopher Murphy
1004 Verde Vista
New Windsor, NY 12553

89-7-9
Kevin & Lauree MacKay
1006 Verde Vista
New Windsor, NY 12553

label size 1" x 2 5/8" compatible with Avery®5160/8160

Etiquette de format 25 mm x 67 mm compatible avec Avery®5160/8160



RESULTS OF Z.B.A. MEETING OF: June 23, 2008

PROJECT: Apollo Cypress ZBA # 08-17
P.B.# _____



USE VARIANCE:

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

DITTBRENNER _____
BEDETTI _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

DITTBRENNER _____
BEDETTI _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

DITTBRENNER _____
BEDETTI _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

DITTBRENNER _____
BEDETTI _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____

☒ ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) B S) I VOTE: A 4 N 0

~~DITTBRENNER~~ _____
BEDETTI A _____
LOCEY A _____
TORPEY A _____
KANE A _____

CARRIED: Y _____ ✓ N _____



PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED: M) _____ S) _____ VOTE: A _____ N _____.

DITTBRENNER _____
BEDETTI _____
LOCEY _____
TORPEY _____
KANE _____

CARRIED: Y _____ N _____.

AGENDA DATE: _____

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 06-09-08

FOR: 08-17 ESCROW

FROM:

Apollo S. Cypress
2903 McKinley Ct.
New Windsor, NY 12553

CHECK FROM:
SAME

CHECK NUMBER: 1036

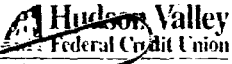
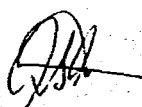
TELEPHONE: 567-4210

AMOUNT: 500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:

J. Munro 6-12-08
NAME DATE

ZBA #08-17 ESCROW

APOLLO S CYPRESS 567-4210		1036
TESS J CYPRESS		
2903 MCKINLEY CT		
NEW WINDSOR, NY 12553		
DATE <u>5/29/08</u>		50-7936/2219 07
PAY TO THE ORDER OF <u>THE TOWN OF NEW WINDSOR</u> \$ <u>500.00</u>		
FIVE HUNDRED ONLY _____ DOLLARS <input checked="" type="checkbox"/> ONE		
 MEMO _____		
		
⑆ 221979363⑆00000168196900⑆1036		

Town of New Windsor

555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT #322-2008

06/12/2008

Cypress, Apollo
2903 Mckinley Court
New Windsor, NY 12553

Received \$ 150.00 for Zoning Board Fees, on 06/12/2008. Thank you
for stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

ZBA# 08-17 application fee

TOTAL CHARGES:

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

COPY

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

**APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT (845) 563-4630 TO
MAKE AN APPOINTMENT WITH THE ZONING BOARD OF APPEALS.**

DATE: May 13, 2008

**APPLICANT: Apollo Cypress
2903 McKinley Court
New Windsor, NY 12553**

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: 9/20/07

FOR : Existing second kitchen

LOCATED AT: 2903 McKinley Court

ZONE: R-3 Sec/Blk/ Lot: 76-4-10

DESCRIPTION OF EXISTING SITE: Existing house

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

- 1. Existing second kitchen in basement creates a two family house on an existing lot which does not meet current zoning for two family house.**


BUILDING INSPECTOR

		PERMITTED	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE: R-3	USE: Bulk Tables			
MIN LOT AREA:	C7	120,000sq.ft.	10,600sq.ft.	109,400sq.ft.
MIN LOT WIDTH:	D7	175'	100'	75'
REQ'D FRONT YD:	E7	45'	25'	20'
REQ'D SIDE YD:	F7	40'	30'	10'
REQ'D TOTAL SIDE TD:				
REQ'D REAR YD:	G7	50'	34.6'	16.4'
REQ'D FRONTAGE:				
MAX BLDG HT:				
FLOOR AREA RATIO:				
MIN LIVABLE AREA:				
DEV COVERAGE:				

cc: Z.B.A., APPLICANT, FILE, W/ ATTACHED MAP

Sent Applic. 5/21/08

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and under slab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway bond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number and Tax Parcel ID #, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Water and Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and perc test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

RECEIVED

AUG 3 3 2007

BUILDING DEPARTMENT

FOR OFFICE USE ONLY:

Building Permit #: 2007-74

AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP. DISABILITY & LIABILITY INSURANCE
CERTIFICATES ARE REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR
ISSUED

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises MR & MRS APOLLO & TESS CYPRESS

Address 2903 MCKINLEY COURT, NEW WINDSOR, NY 12553 Phone # 845-567-4210

Mailing Address SAME AS ABOVE Fax # 845-567-3497

Name of Architect N/A Cell 1-914-316-0396

Address N/A Phone N/A

Name of Contractor N/A

Address N/A Phone N/A

State whether applicant is owner, lessee, agent, architect, engineer or builder OWNER

If applicant is a corporation, signature of duly authorized officer N/A

(Name and title of corporate officer)

1. On what street is property located? On the MCKINLEY CT side of MOLLY PITCHER DRIVE
and 25' 6" (N, S, E or W) feet from the intersection of MCKINLEY & MOLLY PITCHER

2. Zone or use district in which premises are situated _____ Is property a flood zone? Y _____ N _____

3. Tax Map Description: Section 76 Block 4 Lot 10

4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.

a. Existing use and occupancy NOT OCCUPIED b. Intended use and occupancy TO USE AS OFFICE

5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☒ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other BASEMENT IMPROVEMENT

6. Is this a corner lot? YES

7. Dimensions of entire new construction. Front 32'-0" Rear 46'-0" Depth 33'-0" Height 8'-0" No. of stories ONE

8. If dwelling, number of dwelling units: ONE (1) Number of dwelling units on each floor ONE (1)

Number of bedrooms N/A Baths N/A Toilets ONE Heating Plant: Gas ☒ Oil _____

Electric/Hot Air ☒ Hot Water ☒ If Garage, number of cars TWO (2)

9. If business, commercial or mixed occupancy, specify nature and extent of each type of use OFFICE TYPE

10. Estimated cost \$ 20,000 Fee N/A

PAID
Cash 8/23/07

date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Lila & Louis Krychear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4818
(845) 563-4886 FAX

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- The work covered by this application may not be commenced before the issuance of a Building Permit.
- Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, piece or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

(Signature of Applicant)

2903 MCKINLEY COURT, NEW WINDSOR, NY

(Address of Applicant)

Same as above

(Owner's Signature)

(Owner's Address)

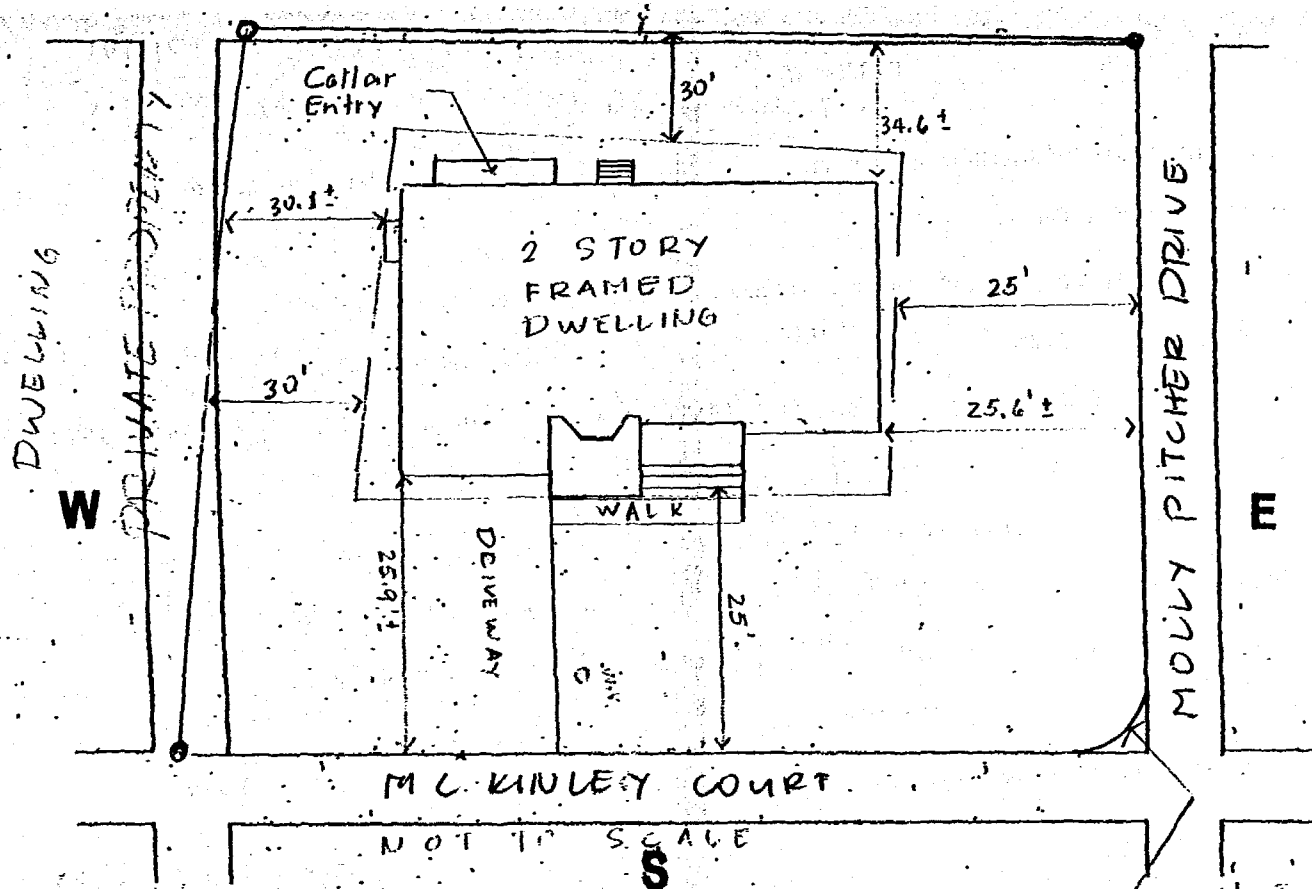
PLOT PLAN

NOTE:

Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.

DWELLING

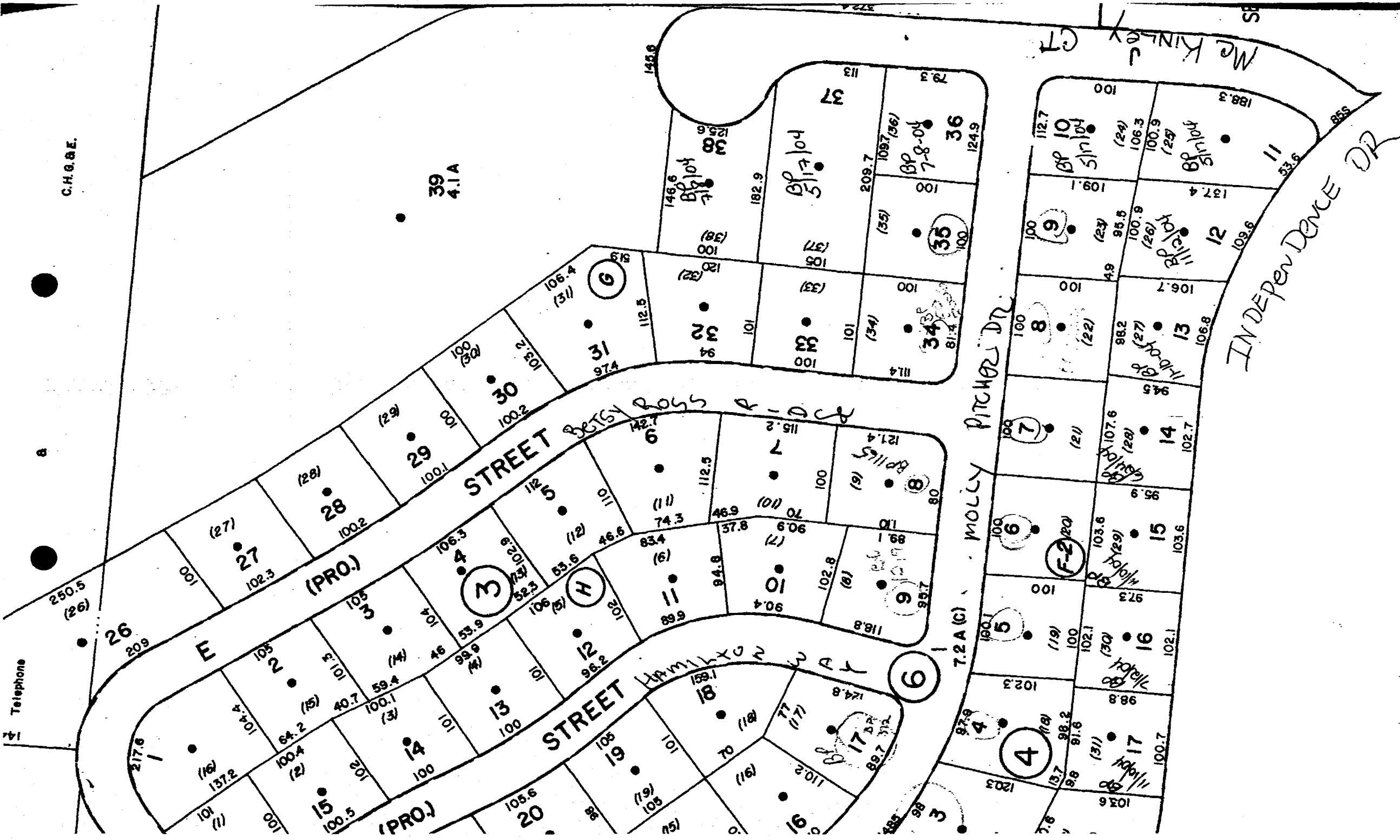
PRIVATE PROPERTY



R-20,000 L-S
 C.B. - 831' - 34'
 C.D. - 27.74'

Telephone

C.H.G.B.E.





**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

5/29/08

Date

Application Type: Use Variance ☐ Area Variance ☐
Sign Variance ☐ Interpretation ☐

e-mail address: AC3897@aol.com

I. Owner Information: APOLLO S. CYPRESS

Phone Number: (845) 567-4210

Fax Number: (845) 567-3497

(Name)

2903 MCKINLEY COURT, NEW WINDSOR, NY 12553

(Address)

II. Applicant: SAME AS ABOVE

e-mail address: _____

Phone Number: () _____

(Name)

Fax Number: () _____

(Address)

III. Forwarding Address, if any, for return of escrow: Phone Number: () _____

SAME AS ABOVE

Fax Number: () _____

(Name)

(Address)

IV. Contractor/Engineer/Architect/Surveyor/:

Phone Number () _____

BY OWNER

Fax Number: () _____

(Name)

(Address)

V. Property Information:

Zone: R-3 Property Address in Question: 2903 MCKINLEY COURT, NEW WINDSOR, NY 12553

Lot Size: 0.269 ACRE

Tax Map Number: Section 76 Block 4 Lot 10

a. Is pending sale or lease subject to ZBA approval of this Application? _____

b. When was property purchased by present owner? MARCH, 2005

c. Has property been subdivided previously? NO If so, When: N/A

d. Has an Order to Remedy Violation been issued against the property by the Building/Zoning/Fire Inspector? NO

****PLEASE NOTE:****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. **In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

PLEASE ANSWER EACH OF THE FOLLOWING QUESTIONS SPECIFICALLY:

1. Whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; AREA VARIANCE METHOD WILL WORK FINE WITH ME
2. Whether the requested area variance is substantial; THE REQUESTED AREA VARIANCE IS MINOR ONLY. THE INSPECTOR JUST HAD A DOUBT ABOUT THE CONSTRUCTED SINK WITH CABINETS IF IT IS TO CONSIDER AS KITCHEN OR NOT.
3. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; NOT AT ALL.
4. Whether the alleged difficulty was self-created. NO, ITS NOT.

****After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:**

I BELIEVE I DID NOT VIOLATE ANY ZONING LAW OR REGULATIONS PERTAINING TO MY BASEMENT CONSTRUCTION. IN MY OPINION, THE SINK THAT I PUT INTO MY BASEMENT WILL NOT MAKE OUR DWELLING A 2 FAMILY HOUSE. IT'S JUST A BAR SINK, NO GAS LINES & HAS NO PROVISIONS FOR KITCHEN EQUIPMENT. KITCHEN IS THE PLACE WHERE THE PERSON PREPARED & COOK FOOD WHICH WE PLEASE NOTE: DO NOT INTEND TO DO.

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

**OWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

X. SIGN VARIANCE:

- (a) Variance requested from New Windsor Zoning Local Law,
Section _____, Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1			
Sign #2			
Sign #3			
Sign #4			

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and freestanding signs _____?

XI. INTERPRETATION:

- (a) Interpretation requested of New Windsor Zoning Local Law,
Section Bulk Tables R-3 C7, D7, E7, F7, G7

- (b) Describe in detail the proposal before the Board:

AS PER THE BUILDING INSPECTOR, THE CABINETS & SINK THAT I PUT INTO MY BASE-
MENT IS A KITCHEN THAT CREATES A TWO FAMILY HOUSE WHICH IS NOT TRUE.
THE SINK THAT I INSTALLED IS A BAR SINK & NOT EVEN A KITCHEN SINK. THERE IS NO
GAS LINES & KITCHEN EQUIPMENT TO USE FOR COOKING AND PREPARING FOOD. IT
IS THEREFORE VERY CLEAR THAT WE DON'T HAVE ANY INTENTION TO USE OUR BASEMENT
A 2ND FAMILY HOUSE OR A RENTAL UNIT.

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
-
-

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☐ Photographs of area that variance(s) is/are being requested for showing relationship to property lines (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.)

Need photos of second kitchen showing it is not a rental unit where someone lives.

XIV. AFFIDAVIT.

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE)

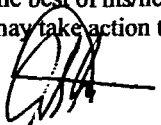
The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

29 day of May 2008
George J. Canfield

CHERYL L. CANFIELD
Notary Public, State of New York
Qualified in Orange County
#01CA6073319
Commission Expires April 22, 2010

Signature and Stamp of Notary


Owner's Signature (Notarized)

APOLLO S. CYPRESS

Owner's Name (Please Print)

Applicant's Signature (If not Owner)

PLEASE NOTE:

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

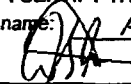
Appendix C

State Environmental Quality Review

SHORT ENVIRONMENTAL ASSESSMENT FORM

For UNLISTED ACTIONS Only

PART I - PROJECT INFORMATION (To be completed by Applicant or Project Sponsor)

1. APPLICANT/SPONSOR APOLLO CYPRESS	2. PROJECT NAME RESIDENTIAL ALTERATION (BASEMENT FINISHING)
3. PROJECT LOCATION: Municipality NEW WINDSOR County ORANGE	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 2903 MCKINLEY COURT	
5. PROPOSED ACTION IS: <input checked="" type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: ALTERATION TO UNFINISHED BASEMENT	
7. AMOUNT OF LAND AFFECTED: N/A Initially _____ acres Ultimately _____ acres	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open Space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: PERMIT NO: PA2007-741, NEW WINDSOR BUILDING DEPARTMENT	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If Yes, list agency(s) name and permit/approvals: PERMIT NO: PA2007-741, NEW WINDSOR BUILDING DEPARTMENT	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE Applicant/sponsor name: APOLLO S. CYPRESS Date: 5/29/08 Signature: 	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

PART II - IMPACT ASSESSMENT (To be completed by Lead Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.4? <input type="checkbox"/> Yes <input type="checkbox"/> No	If yes, coordinate the review process and use the FULL EAF.
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.8? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible) C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly: C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly: C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly: C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:	
D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly:	
E. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly:	

PART III - DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed. If question D of Part II was checked yes, the determination of significance must evaluate the potential impact of the proposed action on the environmental characteristics of the CEA.

- ☐ Check this box if you have identified one or more potentially large or significant adverse impacts which **MAY** occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.
- ☐ Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action **WILL NOT** result in any significant adverse environmental impacts **AND** provide, on attachments as necessary, the reasons supporting this determination.

Name of Lead Agency_____
Date_____
Print or Type Name of Responsible Officer in Lead Agency_____
Title of Responsible Officer_____
Signature of Responsible Officer in Lead Agency_____
Signature of Preparer (If different from responsible officer)